

Exhibit B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

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Index No.: 21-cv-12 (RLY) (MJD)
BOGARD, MCGRATH, JANE DOE, :
and BECCA SCHMILL :
FOUNDATION, :
Individually and on behalf of all :
others similarly situated :
Plaintiff, :
:
-v.- :
:
TIKTOK INC., BYTEDANCE INC, :
ALPHABET INC., :
XXVI HOLDINGS INC., :
GOOGLE LLC, YOUTUBE, LLC :
:
:
Defendant(s). :
:
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DECLARATION OF ANNIE MCGRATH:

1. I am Annie McGrath, a plaintiff in this action.
2. I am fully familiar with the facts and circumstances of the instant action by way of personal knowledge.
2. This affidavit is submitted in support of Plaintiffs' Opposition to Defendants' Motion to Dismiss.
3. After my son passed away from attempting the choking challenge in 2018, I have been reporting contents on Youtube that portray the choking challenge relying on Youtube's reporting system.
4. As stated in the Complaint, YouTube's repeated dismissal of my reporting caused me to feel emotional distress, anxiety, helplessness, invalidation, grief, re-traumatization, and

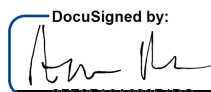
frustration. I feel deceived by Youtube's numerous statements to the public about its commitment to respond to reports by users when it continued to dismiss my reports.

5. In addition to the emotional harm, I suffered physical harms as well. I recently came across 60 videos after 5-10 minutes of searching on Youtube. Watching and reporting these only to find out the next day that Youtube has ignored my report makes my heart to palpitate and causes my blood pressure to rise. This poses a severe detriment to my body, as I had suffered a heart attack in the past. In addition, after watching and reporting these videos and facing the fact that Youtube had not acted on them, I have experienced back spasms due to the rise in stress level immediately after reporting a choking challenge video and had to seek treatment at an urgent care clinic. Moreover, due to the stress stemming from the reporting experiences, my hair turned entirely grey.

6. Moreover, I suffered economic harm as I was unable to return to work for a period of time. I took leave from work after the loss of my husband in 2017 and after Griffin's death in 2018. Immediately after Griffin's passing, I faced difficulty maintaining the basic functions of my life, work and self-care. However, I had to face the fearful fact that there were so many other teens exposed to choking challenge videos on Youtube. Hence, I put myself to work in doing whatever I can do to prevent harms that caused Griffin's death. My efforts to report the choking challenge videos day after day to Youtube relying on their own statements and experiencing the re-traumatization caused by Youtube's indifference and defective reporting tool set back my timeline for going back to work. Hence, my leave from work which was in total about 3 years was prolonged by at least 3-6 months directly as a result of Defendant's defective and misleading reporting tools. During this time, I experienced economic harm.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 26, 2023

DocuSigned by:

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Annie McGrath